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20 [additional counsel for Plaintiff listed in signature block]

21 *Counsel for Sierra Club*

22 **IN THE UNITED STATES DISTRICT COURT**  
23 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
24 **SAN FRANCISCO DIVISION**

25 SIERRA CLUB,

26 Plaintiff,

27 v.

28 GINA McCARTHY, Administrator of the  
United States Environmental Protection  
Agency,

Defendant.

Case No. 3:12-cv-06472-CRB

**JOINT STATUS REPORT**

On November 10, 2014, the parties filed a joint status report (Dkt. No. 39)  
advising the Court that the parties had reached a tentative agreement on several more

1 deadlines at issue in the matter, had drafted a proposed Consent Decree, and would  
2 continue to discuss the remaining deadlines. The Court ordered the case held in abeyance  
3 until December 5, 2014 and ordered the parties to submit another status report by  
4 November 24, 2014 (Dkt. No. 40).

5 The parties have reached tentative agreement on all deadlines except two and  
6 expect to reach agreement on those deadlines this week. As the parties explained in the  
7 prior status reports, approval of a settlement on behalf of Defendant will require review  
8 by the appropriate officials of the U.S. Environmental Protection Agency and the U.S.  
9 Department of Justice as well as compliance with the public notice requirement of  
10 40 U.S.C. § 7413(g). Approval of the settlement on behalf of Plaintiff will require  
11 review and approval by multiple people in Sierra Club, some of whom are volunteers.

12 Accordingly, the parties stipulate to and request that the Court hold this matter in  
13 abeyance until January 5, 2015 to allow the parties to conclude negotiations and receive  
14 management approval for settlement. The parties will submit another joint status report  
15 on December 18, 2014 to advise the Court of their progress in resolving this case without  
16 further litigation.

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1 Respectfully submitted,  
2 Date: November 24, 2014

3 SAM HIRSCH  
4 Acting Assistant Attorney General  
5 Environment and Natural Resources Division

6 /s/ Leslie M. Hill

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**ORDER**

Pursuant to Stipulation and for good cause shown, all proceedings shall be held in abeyance until January 5, 2015. Further, the parties shall submit a joint status report by December 18, 2014.

DATED this 25th day of November, 2014.

